

Amnesty International: "Torture (in Punjab and Kashmir) and illtreatment is widespread and in some cases systematic, resulting in scores of deaths in police custody."

State Department Human Rights Report (1994): Over 41,000 cash bounties were paid to police in Punjab for extrajudicial killings of Sikhs between 1991 and 1993.

GRAPHIC EXAMPLES OF TORTURE AND MURDER,
PUNJAB AND KASHMIR

Extrajudicial murders of Sikh youth are a common occurrence. Between 1986 and 1994, 6,017 unidentified Sikh victims of Indian police were cremated in the District of Amritsar alone. There are 13 districts in Punjab. It has been estimated that security forces have had over 25,000 unidentified Sikhs cremated or dumped in rivers during this period.

In January 1995, the water level of the Sirhind Canal was lowered for repair work. One dozen bodies of young Sikh torture victims were found at the bottom of just one shore section of the canal with the hands and feet bound. There are hundreds of miles of the canals through the province.

In January 1993, Indian paramilitary forces in Kashmir burnt to death at least 65 Kashmiri civilians in the town of Sopore. Soldiers deliberately set fire to five separate areas of the town. They also dragged shopkeepers out of their shops and shot them in the streets. The torching of entire Kashmiri villages by Indian forces is a common tactic.

In 1994, Sikh activist Kanwar Singh Dhami was imprisoned along with his pregnant wife and son. He and his wife were tortured in front of each other. When the police were unable to extract an untrue confession from Mr. Dhami, they hung his wife up by her heels (she was six months pregnant) forcing her to have a miscarriage.

In Amritsar district in 1993, Indian police brought a Sikh youth they had tortured and thought was dead to the hospital for an autopsy. After the police left, the doctors discovered that the young man was miraculously still alive and revived him. The police returned several hours later after hearing that the man was alive. They took him out of the hospital, killed him again, and brought him back to the same hospital for his autopsy.

KILDEE HONORS DR. NATHIEL
BURTLEY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to a great educator and a great man, Dr. Nathiel Burtley upon his retirement from his outstanding service as Superintendent of the Flint Community Schools.

Since 1988, Dr. Burtley has led the Flint Community Schools as superintendent. Prior to accepting the superintendency, Dr. Burtley served as deputy superintendent in Flint from 1981 through 1988. Before coming to Flint, Dr. Burtley served the Ypsilanti Public Schools for 5 years in both the capacities of assistant superintendent for curriculum and instruction, and as interim superintendent. Dr. Burtley preceded his time in Ypsilanti in the Grand Rapids Public Schools where he was an elementary school principal for 4 years, briefly served as assistant high school principal, and as a speech pathologist. Dr. Burtley has served over 31 years in the field of public education.

A native of Cairo, IL, Dr. Burtley earned a bachelor's degree in 1962 and a master's degree in 1964 from Southern Illinois University. Dr. Burtley then went on to his beloved Michigan state University where he earned a doctorate in educational administration.

Dr. Burtley is truly one of those individuals who has made a difference. Upon taking over the reins of leadership of the Flint Community Schools, he proceeded to work with the community and all employees of the district to review and completely remake the direction of the school system. This was a system that has been a world leader in the arena of community education; but was also a district, like many others, that needed to experience changes in the way it had done things in the past in order to insure the students who graduated were prepared for the world they were about to enter. Throughout the time that change was occurring in the system, Dr. Burtley continuously asked the question "Is it in the best interest of kids?"

Dr. Burtley will truly be missed by all throughout the Flint Community School system. I know his heart will remain with the school district and the future of each of its students.

Mr. Speaker, it is indeed an honor and pleasure for me to rise today to pay tribute to a great American educational leader. I know all throughout the State of Michigan and the city of Flint who know Dr. Burtley, and the entire U.S. House of Representatives, will join me today in honoring a great educator, Nathiel Burtley.

INTRODUCTION OF LEGISLATION
TO OVERRULE THE U.S. SUPREME COURT'S ADAMS FRUIT
DECISION

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. GOODLING. Mr. Speaker, today, I am introducing legislation along with several of my colleagues, Mr. FAZIO, Mr. BALLENGER, Mr. ANDREWS, Mr. FAWELL, Mr. STENHOLM, Mr. HOEKSTRA, Mrs. THURMAN, Mr. FUNDERBURK, and Mr. DOOLEY, which would overrule the U.S. Supreme Court's 1990 decision in *Adams Fruit Co., Inc. versus Barrett*. In this decision, the Court held that injured farmworkers may bring a private cause of action under the Migrant and Seasonal Agricultural Worker Protection Act [MSPA], even though the workers had already received workers' compensation benefits for those same injuries.

The implications of the *Adams Fruit* decision are quite troubling as the decision undermines the general principle of the exclusivity of workers' compensation, both in the MSPA context and beyond. The workers' compensation system was designed as a quid pro quo system in which employees forego the right to a tort remedy in exchange for readily accessible relief without questions of liability or contributory negligence. The *Adams Fruit* decision undercuts the bargain that both employers and employees made in participating in the workers' compensation system. By allowing a private cause of action under MSPA, the decision opens employers up to costly litigation and open-ended liability for workplace injuries they

thought they were ensuring themselves against through their payments into the workers' compensation system.

Farmworkers will also suffer under the *Adams Fruit* decision as it removes any incentive for agricultural employers to provide workers' compensation coverage for them. In many States, coverage of farmworkers remains optional and the decision provides employers little reason to exercise that option. The uncertainty of a private cause of action is not a substitute for the accessibility and sure relief of workers' compensation.

When MSPA was passed in 1982, it received bipartisan support from agricultural employers, organized labor, and farmworker representatives. That coalition would hardly have held together had it been intended that MSPA would provide a private cause of action for workplace injuries that would supplement any recovery under the workers' compensation system.

The legislation which I am introducing today would effectively overturn the *Adams Fruit* decision and provide that a farmworker could not bring a private cause of action under MSPA for actual damages for a workplace injury, but would be limited to the remedies available under the State workers' compensation scheme. A farmworker would still be entitled to bring an action for statutory damages or an injunction based on a MSPA violation.

By reversing the *Adams Fruit* decision and recognizing the importance of the exclusivity of workers' compensation, this legislation returns to the original congressional intent in enacting the MSPA remedial scheme. This legislation is good for farmworkers and for agricultural employers and I urge my colleagues to support it.

MEMORIAL DAY

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. DICKEY. Mr. Speaker, from the steps of the Capitol Building and across the Potomac we see the thousands of men and women who lay at rest, silenced by guns of war.

We, the beneficiaries of their sacrifices, cannot adequately praise these fallen veterans by merely uttering words. It takes a commitment by Members of Congress from both sides of the aisle to follow through with promises to those who have served and who currently serve our country.

This Memorial Day weekend, we should recognize a disturbing change in our Nation. There is a sense of resentment among our veterans today. They feel as though they are not held in the same light they once were. Benefits guaranteed to them are now targets for elimination.

The military traditions that kept ours the most resilient fighting force in the world seem to be forgotten by many of their civilian leaders. And many of those same leaders view the military as a place for social experiment.

If we allow this to escalate, we will not maintain our esprit de corps which is so vital to cohesiveness in combat; nor will we feel good about ourselves.

Because few of us have actually experienced the pressures of battle, we must continually look to the military professionals for guidance in building and maintaining our defense capabilities.

This goes well beyond promises of health care or other monetary benefits. It includes encouraging veterans, and active duty service members and reservists to obtain higher education and to instill a sense of self-esteem which will enable them to grow and prosper in the society they volunteered to defend.

As a veteran in my district, Warren Watts, writes in a letter to me:

We call upon you, the leaders we elected for justice and fairness for disabled veterans and their families.

We must listen to my friend, Warren, and other veterans across our country. They are turning to us for help.

For Memorial Day, let us not forget those who fell in combat to preserve our freedoms. Moreover, as we walk among their graves, consider how we can show our respect for the survivors.

TRIBUTE TO HUGH HART

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. FROST. Mr. Speaker, after a long career of public service with the House of Representatives, Hugh Hart will retire as House Journal clerk in June. A native of Texas, Hugh came to work for the House when John McCormack was Speaker 28 years ago.

I first met Hugh when he was administrative assistant to the late Dallas mayor and Congressman, Earle Cabell. Earle and his popular late wife, Dearie, were very warmly welcomed by the Texas delegation in Washington when they arrived in 1965. Earle had been a dynamic and energetic Dallas mayor after having a successful business career. He brought that enthusiasm with him. Hugh came along to work for him later that year.

Hugh has had close ties to Dallas through the years. While attending Southern Methodist University and its law school, he came to now its distinguished late President Willis Tate. Dr. Tate recommended Hugh to Earle Cabell for a summer job. After completing his U.S. Army Reserve training with the Army Intelligence Branch, he started to work for Earle.

The late Associate Justice of the Supreme Court, Tom Clark, was fond of administering oaths of office to young Texans who passed the State bar examination and could not be present for the Austin swearing in ceremony. He gave the oath to Hugh. Later in retirement, justice Clark moved Hugh's admission in person to the U.S. Supreme Court.

When Dearie and Earle returned to Dallas, Hugh practiced law there briefly before returning to Washington. He joined President Gerald Ford's Clemency Board as a Staff attorney. Later he was on the staff of the Commission on Information and Facilities headed by former Texas Congressman Jack Brooks.

In 1978, Speaker Thomas P. "Tip" O'Neil presided over the House and Hugh was appointed House Journal clerk.

In addition to his professional duties, Hugh has been very active in community service. He

has worked diligently in his parish, St. James Episcopal Church on Capitol Hill, for nearly 20 years. For several years, he has been a member of the Washington Episcopal Diocesan Personnel Committee. A trustee of the Canterbury Cathedral Trust in America, he has assisted in its programs with Canterbury Cathedral in England.

A cause which has especially interested Hugh is the Most Venerable order of the Hospital of St. John of Jerusalem. This is an organization in England and the United States which supports an ophthalmic hospital in Jerusalem. The hospital serves 60,000 patients a year in one of the most troubled areas of the Middle East. Hugh has worked to expand the order's outreach and membership in Dallas and Texas, as well as the Washington area.

Like any good Texan, he has also put his shoulder to the wheel for the Texas State Society of Washington as treasurer, board member and chair of various committees. No one who was there can forget the early society picnics.

As Hugh moves on to the next stage of his life, his friends in the Texas delegation and the House of Representatives wish him well and thank him for a job well done.

ACDA IS NOT A COLD WAR RELIC

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Ms. FURSE. Mr. Speaker, I rise to express my support for the Arms Control and Disarmament Agency as we consider its fate during our discussion of the State Department authorization. Arms control and nonproliferation are not new or old. They have always been necessary and will continue to be for the foreseeable future. Merging ACDA into the State Department is neither cost-effective nor wise.

To say that the cold war is over and therefore, there is no need for an agency that devotes itself exclusively to arms control and nonproliferation denies the reality that arms control is not just negotiating the agreement. It is also implementing it, verifying it, and monitoring compliance with it. These are not just hollow words, but activities that require considerable expertise and diligence.

Only by having an independent agency purely devoted to arms control and nonproliferation can we get the best agreements and the best management of the process, thereby enhancing our national and economic security. ACDA is a national security asset and a bargain, working to make the world safer.

ACDA has been very helpful to me in my work on issues involving nuclear testing and reducing the world's arsenals of nuclear weapons. Its expertise is vital as we seek to gain approval of START II, negotiate a Comprehensive Test Ban Treaty, and eliminate chemical weapons.

Finally, Mr. Speaker, ACDA leads the successful effort to secure permanent extension of the Nuclear Nonproliferation Treaty [NPT]. We would not have the NPT today if it were not for ACDA. The security and protection against nuclear proliferation provided by the NPT benefits all Americans. Let's not weaken ACDA just days after this momentous achievement. Our Nation's security can't afford it.

PREPARING FOR A CHANGING WORLD

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 25, 1995

Mr. PASTOR. Mr. Speaker, on May 13, 1995, the College of Santa Fe held its graduation ceremonies in Santa Fe, NM. The principal speaker was Congressman BILL RICHARDSON, who spoke to the graduates on preparing for a changing world. I commend to you the Congressman's address by placing it in the RECORD as follows:

CONGRESSMAN BILL RICHARDSON—SPEECH BEFORE THE COLLEGE OF SANTA FE—MAY 13, 1995

President Fries, Dr. Lawrence, distinguished members of the faculty, family members, and especially the graduating class of 1995: I am very pleased to be here with you today as you graduate. Be proud of yourselves and cherish this day. There are few accomplishments in life that will bring you more fulfillment and prosperity than education.

Everyone is talking about welfare, the budget, Russia—but I want to talk about education.

Education is the single most important factor in determining the success of an individual life or a community. When I use the word success, I mean more than economic gain: the ability to enjoy family and friends; to create art, and music; to help your community solve pressing problems—all are made possible by education, and all are characteristics that benefit the communities in which we live.

People say that everything comes down to economics—but I believe that education is really the key to what we are and where we are going.

Our world is changing rapidly, and education must change with it. Learning should be continuous, occupationally relevant, and it should function transnationally.

New Mexico doesn't just compete with Texas or California—we compete in new ways with eastern rim nations, countries that were formerly behind the Berlin Wall, and South Africa.

Today, information moves at an incredible rate of speed. When I was in college, the knowledge gained by an engineering student remained valid for 20 years after graduation. Today, it is estimated that the facts college freshmen learn are obsolete by the time they graduate.

Education should reflect these rapid changes.

As a nation, America believes that good education is fundamental, but there are some uncomfortable realities that we must accept. Students in the United States are consistently outperformed in science and mathematics by students from Asia and Europe.

In New Mexico, only 14% of 8th graders perform at a proficient or advanced level in math—while twice as many students perform at these levels in Taiwan, Korea, and Switzerland.

These test scores are significant because the employment growth rate for scientists and engineers is 112%—four times the growth rate for managers. Future prosperity for many young people depends on their abilities in math and science.

Why do our students test poorly? Well, there are fundamental differences in education abroad that we can learn from.

First of all, countries overseas are more successful in assuring that the majority of